

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

ANNE MARSH, DEBRA OTTO,	:	
and STEVEN KIEFFER,	:	
Plaintiffs,	:	
	:	
	:	3:04CV220 (WWE)
v.	:	
	:	
TAUCK INC.,	:	
Defendant.	:	

**RULING ON PLAINTIFFS' MOTION FOR CERTIFICATION
OF FLSA COLLECTIVE ACTION UNDER 29 U.S.C. § 216**

This case concerns alleged federal and California state labor law violations by defendant Tauck, Inc., a tour company. Plaintiffs have filed a motion for class certification of California classes under FRCP 23(b)(3) and for certification of a collective action under 29 U.S.C. § 216(b) [doc. #288].

Specific to this ruling, the plaintiffs request an order authorizing a collective action under the Fair Labor Standards Act ("FLSA"), 29 U.S.C. §§ 201, et seq., of a class of all current or former Tauck Tour Directors who at any time from April 1, 2000 to the present performed services for Tauck in the United States. In accordance with the discussion on the record during the hearing dated June 8, 2005, and the analysis articulated in Leuthold v. Destination America, Inc., 224 F.R.D. 462 (N.D. Cal. 2004), the Court finds that conditional class certification is appropriate. The parties are instructed to confer on the contents of the notice to the class, which notice is to contain a 60-day opt-in period. Submission of the proposed notice is due to be filed with the Court by June 15, 2005.

CONCLUSION

For the foregoing reasons, plaintiffs' motion for certification of a FLSA collective action [doc. # 288] is GRANTED, although the court's certification of such a class is conditional. The parties are instructed to submit the proposed notice by June 15, 2005. Certification of the California classes under FRCP 23 is taken under advisement.

_____/s/_____
WARREN W. EGINTON
SENIOR UNITED STATES DISTRICT JUDGE

Dated at Bridgeport, Connecticut this 9th day of June, 2005.